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EXAMINER	
SHECHTMAN, SEAN P	

ART UNIT	PAPER NUMBER
2125	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/616,214	MORGAN ET AL.	
	Examiner	Art Unit	
	Sean P. Shechtman	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,7-20,22-31,33,78-92 and 107-128* is/are pending in the application.

4a) Of the above claim(s) *122-125* is/are withdrawn from consideration.

5)☒ Claim(s) *1-3,5,7-20,22-31,33,78-92,107 and 108* is/are allowed.

6)☒ Claim(s) *109-128* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2006* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-3, 5, 7-20, 22-31, 33, 78-92, 107-121, 126-128 are presented for examination. Claims 122-125 have been withdrawn from consideration. Claims 17, 91, 109, 115, 116, and 119-121 have been amended.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore,

referring to claim 84, the system wherein the controller is disposed within the processor;

referring to claim 118, the system wherein the sequence authoring interface is adapted to permit the user to specify a priority for a first lighting effect depending upon a cue received by the system;

referring to claim 119, the system wherein the sequence authoring interface is adapted to permit the user to specify a priority for a first lighting effect depending upon a cue received by the system, such that the priority specified by the user depending on a cue is a default priority; and

referring to claims 126-128, the system wherein the external stimuli is light, brightness of the light, and color of the light;

must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. Rejections withdrawn in light of the amendment filed February 26th 2006.

Claim Rejections - 35 USC § 101

4. Rejections withdrawn in light of the amendment filed February 26th 2006.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 117-120 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,307,295 to Taylor et al (hereinafter referred to as Taylor).

Referring to claim 117, Taylor teaches a method and system for preparing a lighting sequence capable of being executed by a controller (Abstract), comprising:

a display interface displaying first information representative of a plurality of lighting effects (Col. 30, lines 32-46); a processor coupled to the display interface and supporting a sequence authoring interface adapted to permit a user to select a lighting unit to execute a user selected lighting effect, based on the displayed first information (Col. 30, lines 18-56); wherein

Referring to claims 117-120, Taylor teaches the sequence authoring interface is adapted to permit the user to specify a priority for lighting effects which share a temporal overlap; wherein the priority is dependent on the a cue, can be default, can be for the combination of multiple lighting effects, and can be substituted (Col. 29, lines 49-65; Col. 7, lines 42-55).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 115, 116, 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 4,947,302 to Callahan (hereinafter referred to as Callahan) in view of U.S. Pat. No. 6,361,198 to Reed (hereinafter referred to as Reed).

Referring to claims 115, 116 and 121, Callahan teaches a method and system for preparing a lighting sequence capable of being executed by a controller (Abstract), comprising:

a display interface displaying first information representative of a plurality of lighting effects (Col. 15, lines 8-68); a processor coupled to the display interface and supporting a sequence authoring interface adapted to permit a user to select a lighting unit to execute a user selected lighting effect, based on the displayed first information (Col. 13, lines 38-65); wherein

Referring to claims 115, 116, Callahan teaches the sequence authoring interface is adapted permit the user to select a starting color and an ending color for the at least one selected lighting effect (Col. 12, lines 42-47; Cols. 35-36, claims 1-13).

Referring to claims 121, Callahan teaches the sequence authoring interface is adapted to permit the user to provide instructions to execute the selected lighting effect based upon at least one external stimulus (Col. 34, lines 38-62).

Referring to claims 115, 116, 121, Callahan teaches a control system for a lighting system for entertaining lighting and illuminating a common area (Col. 34, lines 19-22). Callahan fails to teach the lighting unit is a LED.

However, Reed teaches analogous art, wherein a lighting program, when executed by the processor, controls a color of light generating by a LED lighting system and is adapted to generate a range of colors of the light in response to execution, by the processor, of the at least one lighting program (Abstract; Col. 1, line 62 – Col. 2, line 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Reed and Callahan.

One of ordinary skill in the art would have been motivated to combine these references because Reed teaches an interactive light display is provided which includes multiple LED's selectively arranged to provide a light display, each of the LED's being capable of a plurality of activation states. Furthermore, Reed teaches the ideal controlling means would be a computer, which would allow an extremely wide variety of routines to be run with the display; whereby using a computer to control the display would allow routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet or by modem

transfer. Furthermore, Reed teaches standard computer cable is typically used for connecting each of the LED's to the controlling means such that the activations states of all the LED's may be controlled to form selected light patterns. Furthermore, Reed teaches one particularly useful application of the device is an interactive light display in the form of a Christmas tree having a trunk and branches extending laterally therefrom; wherein the tree would typically have LED's located on or near each branch, with fiber optic strands extending outward from the LED's toward the ends of the branches; whereby optional vertebrate branches incorporating one-way hinges could be used to make the tree more easy to store or ship. Furthermore, Reed teaches an interactive light display is provided which is particularly adaptable for use in the form of a Christmas tree. Furthermore, Reed teaches the use of LED's in place of incandescent lighting makes the Christmas tree considerably safer than known trees, due to the lower voltages and currents involved, and also due to the lack of heat associated with operation of LED's. Furthermore, Reed teaches the colors of the LED's may be mixed to provide a palette of 256,000 potential colors, far exceeding any combinations of colors available with conventional light displays. Furthermore, Reed teaches there is no colored wheel commonly used in known devices, thus eliminating the maintenance and replacement costs associated with such wheels, as well as the motor required to operate them. Furthermore, Reed teaches that considerably less length of fiber optic strand is required as compared to a conventional tree of the same size; wherein this is due to the capability of placing the LED's on or near the branches, which is possible because of the low heat emitted from the LED's. Furthermore, Reed teaches LED's are commonly rated at 100,000 hours of use, which is approximately ten times the life of a typical incandescent bulb. Finally, Reed teaches using a computer to control the display would allow

routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet; wherein the variety of possible routines is limited primarily by the imagination of the user, and is incomparably greater than the limited variety possible with currently known devices (Col. 1, line 63 – Col. 2, line 59).

7. Claims 115, 116, 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,307,295 to Taylor et al (hereinafter referred to as Taylor) in view of U.S. Pat. No. 6,361,198 to Reed (hereinafter referred to as Reed).

Referring to claims 115, 116, Taylor teaches a method and system for preparing a lighting sequence capable of being executed by a controller (Abstract), comprising:

a display interface displaying first information representative of a plurality of lighting effects (Col. 30, lines 32-46); a processor coupled to the display interface and supporting a sequence authoring interface adapted to permit a user to select a lighting unit to execute a user selected lighting effect, based on the displayed first information (Col. 30, lines 18-56); wherein

Referring to claims 115, 116, Taylor teaches the sequence authoring interface is adapted permit the user to select a starting color and an ending color for the at least one selected lighting effect (Col. 30, lines 18-56).

Referring to claims 121, Taylor teaches the sequence authoring interface is adapted to permit the user to provide instructions to execute the selected lighting effect based upon at least one external stimulus (Col. 6, lines 17-29).

Referring to claims 115, 116, 121, Taylor teaches a typical lighting system consists of an array of lights in communication with a centralized computer-based lighting controller operated from a console (Col. 1, lines 38-41). Taylor fails to teach the lighting unit is a LED.

However, Reed teaches analogous art, wherein a lighting program, when executed by the processor, controls a color of light generating by a LED lighting system and is adapted to generate a range of colors of the light in response to execution, by the processor, of the at least one lighting program (Abstract; Col. 1, line 62 – Col. 2, line 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Reed and Taylor.

One of ordinary skill in the art would have been motivated to combine these references because Reed teaches an interactive light display is provided which includes multiple LED's selectively arranged to provide a light display, each of the LED's being capable of a plurality of activation states. Furthermore, Reed teaches the ideal controlling means would be a computer, which would allow an extremely wide variety of routines to be run with the display; whereby using a computer to control the display would allow routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet or by modem transfer. Furthermore, Reed teaches standard computer cable is typically used for connecting each of the LED's to the controlling means such that the activations states of all the LED's may be controlled to form selected light patterns. Furthermore, Reed teaches one particularly useful application of the device is an interactive light display in the form of a Christmas tree having a trunk and branches extending laterally therefrom; wherein the tree would typically have LED's located on or near each branch, with fiber optic strands extending outward from the LED's

toward the ends of the branches; whereby optional vertebrate branches incorporating one-way hinges could be used to make the tree more easy to store or ship. Furthermore, Reed teaches an interactive light display is provided which is particularly adaptable for use in the form of a Christmas tree. Furthermore, Reed teaches the use of LED's in place of incandescent lighting makes the Christmas tree considerably safer than known trees, due to the lower voltages and currents involved, and also due to the lack of heat associated with operation of LED's. Furthermore, Reed teaches the colors of the LED's may be mixed to provide a palette of 256,000 potential colors, far exceeding any combinations of colors available with conventional light displays. Furthermore, Reed teaches there is no colored wheel commonly used in known devices, thus eliminating the maintenance and replacement costs associated with such wheels, as well as the motor required to operate them. Furthermore, Reed teaches that considerably less length of fiber optic strand is required as compared to a conventional tree of the same size; wherein this is due to the capability of placing the LED's on or near the branches, which is possible because of the low heat emitted from the LED's. Furthermore, Reed teaches LED's are commonly rated at 100,000 hours of use, which is approximately ten times the life of a typical incandescent bulb. Finally, Reed teaches using a computer to control the display would allow routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet; wherein the variety of possible routines is limited primarily by the imagination of the user, and is incomparably greater than the limited variety possible with currently known devices (Col. 1, line 63 – Col. 2, line 59).

8. Claim 109 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of U.S. Pat. No. 6,361,198 to Reed (hereinafter referred to as Reed).

Referring to claim 109, Taylor teaches a method and system for preparing a lighting sequence capable of being executed by a controller (Abstract), comprising:

a display interface displaying first information representative of a plurality of lighting effects (Col. 30, lines 32-46); a processor coupled to the display interface and supporting a sequence authoring interface adapted to permit a user to select a lighting unit to execute a user selected lighting effect, based on the displayed first information (Col. 30, lines 18-56). Taylor teaches the sequence authoring interface is adapted permit the user to select a starting color and an ending color for the at least one selected lighting effect (Col. 30, lines 18-56). Taylor teaches the sequence authoring interface is adapted to permit the user to specify priorities for lighting effects (Col. 29, lines 49-65; Col. 7, lines 42-55).

Referring to claim 109, Taylor teaches a typical lighting system consists of an array of lights in communication with a centralized computer-based lighting controller operated from a console (Col. 1, lines 38-41). Taylor fails to teach the system above, wherein the lighting unit includes a LED capable of emitting light of any of a range of different colors.

However, Reed teaches analogous art, wherein a lighting program, when executed by the processor, controls a color of light generating by a LED lighting system and is adapted to generate a range of colors of the light in response to execution, by the processor, of the at least one lighting program (Abstract; Col. 1, line 62 – Col. 2, line 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Reed and Taylor.

One of ordinary skill in the art would have been motivated to combine these references because Reed teaches an interactive light display is provided which includes multiple LED's selectively arranged to provide a light display, each of the LED's being capable of a plurality of activation states. Furthermore, Reed teaches the ideal controlling means would be a computer, which would allow an extremely wide variety of routines to be run with the display; whereby using a computer to control the display would allow routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet or by modem transfer. Furthermore, Reed teaches standard computer cable is typically used for connecting each of the LED's to the controlling means such that the activations states of all the LED's may be controlled to form selected light patterns. Furthermore, Reed teaches one particularly useful application of the device is an interactive light display in the form of a Christmas tree having a trunk and branches extending laterally therefrom; wherein the tree would typically have LED's located on or near each branch, with fiber optic strands extending outward from the LED's toward the ends of the branches; whereby optional vertebrate branches incorporating one-way hinges could be used to make the tree more easy to store or ship. Furthermore, Reed teaches an interactive light display is provided which is particularly adaptable for use in the form of a Christmas tree. Furthermore, Reed teaches the use of LED's in place of incandescent lighting makes the Christmas tree considerably safer than known trees, due to the lower voltages and currents involved, and also due to the lack of heat associated with operation of LED's. Furthermore, Reed teaches the colors of the LED's may be mixed to provide a palette of 256,000 potential colors, far exceeding any combinations of colors available with conventional light displays. Furthermore, Reed teaches there is no colored wheel commonly used in known

devices, thus eliminating the maintenance and replacement costs associated with such wheels, as well as the motor required to operate them. Furthermore, Reed teaches that considerably less length of fiber optic strand is required as compared to a conventional tree of the same size; wherein this is due to the capability of placing the LED's on or near the branches, which is possible because of the low heat emitted from the LED's. Furthermore, Reed teaches LED's are commonly rated at 100,000 hours of use, which is approximately ten times the life of a typical incandescent bulb. Finally, Reed teaches using a computer to control the display would allow routines to be conveniently custom-designed and easily exchanged, even allowing routines to be downloaded from the Internet; wherein the variety of possible routines is limited primarily by the imagination of the user, and is incomparably greater than the limited variety possible with currently known devices (Col. 1, line 63 – Col. 2, line 59).

9. Claims 110-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Reed, as applied to claim 109 above, and further in view of U.S. Pat. No. 6,031,343 to Recknagel et al (hereinafter referred to as Recknagel).

Referring to claims 110-114, Taylor teaches a method and system for preparing a lighting sequence capable of being executed by a controller (Abstract), comprising:

a display interface displaying first information representative of a plurality of lighting effects (Col. 30, lines 32-46); a processor coupled to the display interface and supporting a sequence authoring interface adapted to permit a user to select a lighting unit to execute a user selected lighting effect, based on the displayed first information (Col. 30, lines 18-56).

Referring to claims 110-114, Taylor/Reed fails to teach the system above, wherein the lighting unit includes a LED capable of emitting light of any of a range of different colors, and wherein the sequence authoring interface is adapted to permit the user to select an initial/final/range of color of light emitted by the LED.

However, Recknagel teaches analogous art, wherein referring to claims 110-114, Recknagel teaches a lighting unit includes a LED capable of emitting light of any of a range of different colors, and selecting an initial/final/range/ priority sequence of color of light emitted by the LED (see Cols 12-13, Claims 10, 23, and 27; Col. 7, lines 42-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Recknagel with the teachings of Taylor/Reed.

One of ordinary skill in the art would have been motivated to combine these references because Recknagel teaches a multi-color lighting entertainment system (Col. 9, lines 14-44) wherein the LEDs of lighting modules can be controlled to emit more than just red, green, or blue, when combinations of LEDs are illuminated (Col. 4, lines 31-42).

10. Claims 126-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor as applied to claim 121 above, and further in view of U.S. Pat. No. 6,495,964 to Muthu et al (hereinafter referred to as Muthu).

Referring to claims 126-128, Taylor or Belliveau teach all of the limitations set forth above, however, Taylor fails to teach the external stimulus is light brightness or color.

However, referring to claims 126-128, Muthu teaches analogous art, wherein the external stimulus is light brightness or color (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Muthu with the teachings of Taylor.

One of ordinary skill in the art would have been motivated to combine these references because Muthu teaches comparing measured light outputs to desired outputs and automatically controlling lights to make changes to the power supply for the color blocks as necessary (Col. 2, lines 12-19).

Allowable Subject Matter

11. The following is a statement of reasons for the indication of allowable subject matter:

Referring to claims 1, 17, 83 and 92, the prior art of record fails to teach a method and system for preparing a lighting sequence capable of being executed by a controller having all the claimed features of applicant's invention specifically including: displaying a grid, wherein the lighting unit is represented at a position along a first axis of the grid, wherein a continuous time interval is represented along second axis of the grid, and wherein a representation of the selected lighting effect during the continuous time interval is displayed on the grid adjacent to the position and parallel to the second axis.

Claims 2-3, 5, 7-16, 18-20, 22-31, 33, 78-82, 84-91, 107, and 108, depend from claims 1, 17, 83 and 92 and are therefore also indicated as allowable subject matter.

Response to Arguments

12. Applicant's arguments filed February 26th 2006 have been fully considered but they are not persuasive.

Regarding the drawings, the examiner respectfully invites applicant's attention to 37 C.F.R 1.83(a) which clearly states:

> "(a) The drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)."

Applicant has amended the specification in order to more clearly describe the illustration of the system of Fig. 1, however, the examiner respectfully submits that, referring to claim 84, the drawings still do not show the controller is disposed within the processor. The examiner respectfully submits that the present amendment to the specification only clarifies that the drawings do not show the controller is disposed within the processor. Therefore the objection to the drawings is maintained.

Applicant argues that specifying a priority is illustrated in Fig. 8 and a cue table 630 and external input 668 (or external stimuli) are illustrated in Fig. 6. The examiner agrees, however the drawings still do not show a sequence authoring interface adapted to permit the user to specify a priority for a first lighting effect depending upon a cue received by the system; a sequence authoring interface adapted to permit the user to specify a priority for a first lighting effect depending upon a cue received by the system, such that the priority specified by the user depending on a cue is a default priority; and the external stimuli is light, brightness of the light, and color of the light. Therefore the objection to the drawings is maintained.

Referring to claim 117, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., specifying priorities; specifying priorities for effects having a temporal overlap) are

not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Referring to claim 117, applicant argues that Taylor does not teach lighting effects share a temporal overlap. The examiner respectfully disagrees. Taylor clearly teaches the modeling system can simulate the effects obtained by activating a chase (a timed, repeating sequence of cues) at the console by producing a graphical representation of the model objects conforming to each of the cues in the chase. These images are then displayed according to the inter-cue timing stored in the chase specification. The transition from one cue to another can likewise be simulated by generating the intermediate pan and tilt settings through which the luminaries pass during the transition, producing graphical representations of the model in those intermediate states and displaying those images rapidly to create an animation-like effect of motion (Col. 7, lines 42-55). The examiner respectfully submits that a timed, repeating sequence of cues, with transitions from one cue to another producing graphical representations of the model in those intermediate states and displaying those images rapidly to create an animation-like effect of motion is lighting effects that share a temporal overlap.

13. Applicant's arguments with respect to claims 109-116, 121 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean P. Shechtman whose telephone number is (571) 272-3754. The examiner can normally be reached on 9:30am-6:00pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SPS

Sean P. Shechtman

May 8, 2006

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100